IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

Crl.Rev.Pet.No. 1902 of 2007()

CRA.60/2004 of ADDL. DISTRICT & SESSIONS JUDGE (ADHOC I), KOLLAM

CC.120/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOTTARAKKARA

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REVN. PETITIONER: APPELLANT/ACCUSED.

B.RADHAKRISHNA PILLAI, K.B.VILASOM,
THEVANNOOR P.O., VALAKOM (PROPRIETOR: K.B.VILASOM CASHEW FACTORY, THEVANNOOR).

BY ADV. SRI.T.KRISHNANUNNI

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE.

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1. PHILIPOSE THANKACHAN, PULLUVEETIL,
CHERUVAKKAL, ELAMADU VILLAGE, KOTTARAKKARA,
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER,
N.SASIDHARAN NAIR, ERATHU VEEDU, CHENKOOR MURI,
VELINALLOOR VILLAGE, KOTTARAKKARA.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PORSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1902 OF 2007

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Dated this the 25th day of May 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.4,00,000/- vide Section 357(3) Cr.P.C.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay the compensation of Rs.4,00,000/- (Rupees Four lakhs only) and in default to undergo simple imprisonment for four months. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Judicial First Class Magistrate-II, Kottarakkara on 26.11.2007 to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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